

FORTY-SEVENTH LEGISLATURE
SECOND SESSION, 2006

HB 174/a

February 15, 2006

Madam President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 174**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 2, between lines 18 and 19, insert the following new subsection:

"G. "physician" means a medical doctor licensed in New Mexico who by training or experience is qualified to work with individuals with mental disorders;".

2. Reletter the succeeding subsections accordingly.

3. On page 5, line 5, after "shall" strike the remainder of the line and strike all of lines 6 through 8 and insert in lieu thereof "permit an order to be entered authorizing assisted outpatient treatment regarding a person with a court-appointed surrogate decision-maker, including a guardian or treatment guardian, who has already been authorized by a court to make substitute decisions regarding the person's mental health treatment.".

4. On page 14, line 3, after the period insert "In the event the physician or provider determines that the patient has attained the capacity to consent to a change in the person's treatment, the physician or provider shall immediately notify the court that the patient is no longer incapacitated and seek an order vacating the court order compelling the patient to undergo involuntary treatment.".

FORTY-SEVENTH LEGISLATURE
SECOND SESSION, 2006

SJC/HB 174

Page 2

Respectfully submitted,

Cisco McSorley, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 2 Against
Yes: 7
No: Grubestic, Lopez
Excused: Martinez
Absent: None

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